

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 2:25-cv-1013-PD Date: September 10, 2025

Title *Kirk Kara Corp. v. Oriental Trading Company, Inc. et al*

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Present: The Honorable Patricia Donahue, United States Magistrate Judge

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Isabel Verduzco  
Deputy Clerk

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N/A  
Court Reporter / Recorder

Attorney Present for Plaintiff:  
Not present

Attorneys Present for Defendant:  
Not present

**Proceedings (In Chambers):      Order to Show Cause Re Service of  
Process on Defendant Click Here 2  
Shop, LLC**

On February 5, 2025, Kirk Kara Corp. (“Plaintiff”) filed a complaint against Oriental Trading Company, Inc. and Does 1–10. Dkt. No. 1. On February 6, 2025, the Court Clerk issued a summons as to Defendant Oriental Trading Company, Inc. (“Oriental Trading”). Dkt. No. 7. Also on February 6, 2025, the Court Clerk filed a Notice of Assignment to a U.S. Magistrate Judge and Declination of Consent (“Notice of Assignment”). Dkt. No. 6. Plaintiff voluntarily dismissed Oriental Trading on May 30, 2025. Dkt. No. 14.

On June 5, 2025, the Court approved Plaintiff’s Notice of Doe Amendment and named Click Here 2 Shop, LLC as Doe 1. Dkt. No. 16. On July 1, 2025, the Clerk issued a summons as to Click Here 2 Shop, LLC. Dkt. No. 18.

On August 14, 2025, the Court issued an Order to Show Cause noting that Plaintiff failed to file a proof of service of the Summons, Complaint, and Notice of Assignment on Click Here 2 Shop, LLC. Dkt. No. 19. Plaintiff was ordered to show cause by no later than August 29, 2025 why the action should not be dismissed with prejudice for failure to prosecute. On August 27, 2025, Plaintiff responded that its process server had attempted service five times to no avail.

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Dkt. No. 20. Plaintiff requests the Order be discharged for at least 60 days to continue service efforts.

Rule 4(m) of the Federal Rules of Civil Procedure provides that if service of the summons and complaint is not made upon a defendant within ninety days of filing the complaint, “the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). If the plaintiff, however, “shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.*

Given the summons for Click Here 2 Shop, LLC was issued on July 1, 2025, the Court will continue the instant Order to Show Cause. If Plaintiff is unable to effectuate service within that time, Plaintiff must diligently seek alternative service. Plaintiff is reminded that any proof of service must also include the Notice of Assignment and Declination of Consent.

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE in writing by no later than October 3, 2025** why this action should not be dismissed without prejudice for failure to prosecute. Plaintiff may discharge this Order by filing a proper proof of service or by diligently pursuing alternative service.

IT IS SO ORDERED.